

The Little Traverse Bay Bands of Odawa Indians
Tribal Council Emergency Meeting
Tribal Court Room
7500 Odawa Circle Harbor Springs, MI 49740
December 5, 2010

Closed Session: yes

Call to Order: Meeting was called to order at: 9:07 a.m.

Physical Council Present: Legislative Leader Julie Shananaquet, Secretary Regina Gasco Bentley, Treasurer John Bott, Councilor Bardwell, Councilor Aaron Otto, Councilor Melvin L. Kiogima, Councilor Rita Shananaquet, Councilor Mulholland, Councilor Gerald V. Chingwa.

Absent: Councilor Mulholland, Councilor Gerald V. Chingwa.

Legislative Office Staff Present: Legislative Services Attorney Donna Budnick, Office Manager Michele LaCount.

Executive Officials and Staff Present: Tribal Chairman Ken Harrington, Vice-Chairman Dexter McNamara, Planning Director Bryan Gillett, Geographical Information System Director Alan Proctor, Office of Enterprise Management Director Chuck Schoefield.

Guests: Richard Wemigwase, Don Lasley, Tootsie Keshick.

Invited Guests: McKenna & Associates: Jim Breuckman, Courtney Piotrowski, Sarah Traxler.

9:11 a.m. Councilor Chingwa arrived.

Motion made by Legislative Leader Julie Shananaquet and supported by Councilor R. Shananaquet to approve the agenda for December 5, 2010 with additions.

Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Mulholland)

Motion carried.

Motion made by Councilor R. Shananaquet and supported by Councilor Otto approve the minutes of November 21, 2010 with corrections.

Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Mulholland)

Motion carried.

Motion made by Councilor R. Shananaquet and supported by Belinda Bardwell to ratify into the Record the Phone Poll Dated November 29, 2010 – Motion to Approve Tribal Resolution “Authorizing Exchange of Notes, Amendment of

1 Indenture and Related Actions” as attached to meet an Immediate Deadline. The
2 Phone Poll passed 7-yes, 0-no, 1-Abstained (Treasurer Bott), 1-Absent
3 (Councilor Mulholland)

4 Motion carried.

5
6 Elder Comment: Richard Wemigwase spoke on behalf of the Elder’s Association
7 concern regarding the Executive plan to combine the Elder’s Program with in the
8 Human Services Department.

9
10 Motion made by Rita Shananaquet and supported by Belinda Bardwell to accept
11 Legislative Leader J. Shananaquet’s verbal and written report for December 4,
12 2010 with confidential information contained therein.

13 Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Mulholland)

14 Motion carried.

15
16 Elder Comment: Tootsie Keshick spoke regarding her resignation from the
17 Elder’s Program and thanked Tribal Council for their support.

18
19 Motion made by Rita Shananaquet and supported by Treasurer Bott to accept
20 Secretary Gasco Bentley’s report for December 05, 2010.

21 Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Mulholland)

22 Motion carried.

23
24 Motion made by Councilor R. Shananaquet and supported by Councilor Bardwell
25 to accept Treasurer Bott’s verbal and written Appropriations and Finance
26 Committee report for December 5, 2010.

27 Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Mulholland)

28 Motion carried.

29
30 Motion made by Secretary Gasco Bentley and supported by Councilor R.
31 Shananaquet to approve the Election Board Budget 1103-0-38 supplemental
32 funding request for FY 2010 for \$5,000.00 to come from prior period funds.

33 Vote: 7 - Yes, 1 – No (Councilor R. Shananaquet), 0 - Abstained, 1 – Absent
34 (Councilor Mulholland)

35 Motion carried.

36
37 Motion made by Councilor R. Shananaquet and supported by Secretary Gasco
38 Bentley to request the Legislative Leader to request from the Executive their
39 current policy on donations/sponsorships for Tribal Council review.

40 Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Mulholland)

41 Motion carried.

42
43 Motion made by Councilor R. Shananaquet and supported by Treasurer Bott to
44 accept the verbal report of Land and Reservation Committee Chairperson
45 Kiogima for December 5, 2010.

46 Motion Withdrawn.

1 Motion made by Councilor R. Shananaquet and supported by Secretary Gasco
2 Bentley to accept the verbal report of Legal and Legislative Committee
3 Chairperson Chingwa for December 5, 2010.

4 Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Mulholland)

5 Motion carried.

6
7 10:30 a.m. Recess called.

8 10:41 a.m. Meeting Reconvened.

9
10 Motion made by Legislative Leader Julie Shananaquet and supported by
11 Councilor R. Shananaquet to accept the Constitutionally Mandated Rules of
12 Conduct for Officials of Tribal Government Ethics Committee report regarding the
13 Rose Smalley determination letter.

14 Vote: 6 - Yes, 0 - No, 0 - Abstained, 3 – Absent (Councilor Mulholland, Councilor
15 Kiogima, Secretary Gasco Bentley)

16 Motion carried.

17
18 Motion made by Councilor Otto and supported by Councilor Bardwell to accept
19 Councilor R. Shananaquet's verbal report supporting insurance for Biindigen
20 employees.

21 Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Mulholland)

22 Motion carried.

23
24 Motion made by Rita Shananaquet and supported by Secretary Gasco Bentley to
25 accept Councilor Chingwa's verbal report regarding the snowmobile trail.

26 Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Mulholland)

27 Motion carried.

28
29 Motion made by Councilor R. Shananaquet and supported by Secretary Gasco
30 Bentley to accept the Legislative Services Attorney Budnick's verbal and written
31 report for December 5, 2010.

32 Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Mulholland)

33 Motion carried.

34
35 11:42 a.m. Public Comment open: Michele LaCount spoke supporting insurance
36 for Biindigen employees through the budget formulation/supplemental
37 appropriation process utilizing sales tax revenue generated by Biindigen toward
38 the same.

39 11:50 a.m. Public Comment closed.

40
41 11:56 a.m. Lunch Recess called.

42 1:36 p.m. Meeting Reconvened.

43
44 McKenna & Associates Presentation

45
46 3:00 p.m. Public Comment opened: Denise Petoskey thanked Tribal Council for
47 all of their work on the bonds and suggested an initiative of the Tribal Citizens if
48 the Tribe ever considers the use of bonds again.

1 3:02 p.m. Pubic Comment closed.

2
3 Motion made by Legislative Leader Julie Shananaquet and supported by
4 Councilor R. Shananaquet to accept Tribal Citizen Elaine Allen's request for
5 relinquishment, and disenrolled Tribal Citizen Elaine Allen for dual enrollment
6 with Little River Band.

7 Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Mulholland)

8 Motion carried.

9
10 3:18 p.m. Recess Called.

11 3:28 p.m. Meeting reconvened.

12
13 Motion made by Belinda Bardwell and supported by Regina Bentley to accept the
14 Land and Reservation Committee Chairperson Kiogima's verbal report for
15 December 5, 2010.

16 Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Mulholland)

17 Motion carried.

18
19 3:56 p.m. Motion made by Secretary Gasco Bentley and supported by Councilor
20 Bardwell to go into close session for legal.

21 Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Mulholland)

22 Motion carried.

23
24 4:21 p.m. Motion made by Rita Shananaquet and supported by Aaron Otto to
25 return to open session.

26 Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Mulholland)

27 Motion carried.

28
29 Motion made by Legislative Leader J. Shananaquet and supported by John Bott
30 to acknowledge the receipt of Tribal Chairman Harrington's report.

31 Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Mulholland)

32 Motion carried.

33
34 Motion made by Rita Shananaquet and supported by Belinda Bardwell to
35 approve Certified Motion Request for Funding from Fiskar Brand, Inc., 2010
36 Project Orange Thumb Little Traverse Bay Bands of Odawa Indians Orange
37 Thumb Garden Project.

38 Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Mulholland)

39 Motion carried.

40
41 Motion made by Legislative Leader J. Shananaquet and supported by Rita
42 Shananaquet to approve the Konami Contract as presented by the Executive.

43 Vote: 7 - Yes, 0 - No, 1 – Abstained (Treasurer Bott), 1 – Absent (Councilor
44 Mulholland)

45 Motion carried.

46
47 Motion made by John Bott and supported by Regina Bentley to pass the Probate
48 for Small Estates Statute.

1 Roll call vote: Belinda Bardwell–yes, Gerald V. Chingwa-yes, Melvin L. Kiogima-
2 yes, Marvin Mulholland-absent, Rita Shananaquet-yes, Aaron Otto-yes, John
3 Bott-yes, Regina Bentley-yes, Legislative Leader Julie Shananaquet-yes
4 Motion carried.

5
6 Motion made by Regina Bentley and supported by Gerald V. Chingwa to table
7 the Gaming Delegation and Authority Draft Statute.

8 Vote: 6 - Yes, 1 – No (Rita Shananaquet), 1 – Abstained (Treasurer Bott), – 1
9 Absent (Marvin Mulholland)

10 Motion carried.

11
12 Motion made by Rita Shananaquet and supported by Treasurer Bott to post to
13 the Legislative Calendar the Political Solicitation Prohibition Draft Statute.

14 Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Mulholland)

15 Motion carried.

16
17 Motion made by Legislative Leader J. Shananaquet and supported by Regina
18 Bentley to post to the Legislative Calendar the Reemployment Rights and
19 Discrimination Rights of Elected or Appointed Officials Draft Statute.

20 Vote: 7 - Yes, 1 – No (Rita Shananaquet), 0 - Abstained, 1 – Absent (Marvin
21 Mulholland)

22 Motion carried.

23
24 Motion made by Legislative Leader Julie Shananaquet and supported by Belinda
25 Bardwell to post to the Legislative Calendar the Medical Marijuana Patient
26 Protection Draft Statute.

27 Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Mulholland)

28 Motion carried.

29
30 Motion made by Treasurer Bott and supported by Gerald V. Chingwa to adjourn.

31 Vote: 6 - Yes, 1 – No (Aaron Otto), 0 - Abstained, 2 – Absent (Marvin Mulholland,
32 Legislative Leader Julie Shananaquet)

33 Motion carried.

34
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36
37
38 These Minutes have been read and approved as written (or) corrected: (delete
39 either the word “written” or “corrected” as pertains to how the minutes were
40 approved.)

41
42
43
44 _____
Regina Gasco Bentley, Tribal Council Secretary

Date